SUBMISSION

of the

COMMITTEE FOR ORIGINAL PEOPLES ENTITLEMENT (COPE)

to the

HON. MR. JUSTICE THOMAS R. BERGER

AT THE PRELIMINARY HEARINGS OF THE MACKENZIE VALLEY PIPELINE INQUIRY

REGARDING PRACTICES AND PROCEDURES TO BE FOLLOWED IN THE INQUIRY

COPE welcomes the opportunity to respond to the invitation contained in your letter of April 1, 1974 to make submission regarding the way in which your Inquiry should proceed. We were sorry that there was so little time between the day we received your letter and the time for the hearing. Because of the short time we were not able to visit all the communities which COPE represents or to hold a meeting of the Board of Directors, to get the ideas of the people about how they think the hearings should be conducted. In future we beg you to remember that COPE tries to represent the views of the people, and of the settlements which we represent, and we try to coordinate our work with that of other native organizations. We cannot do this unless there is enough time to let us visit the settlements, hold meetings of the Board of Directors and meet with other organizations. The time needed would not be as great if more funds were available for salaries of staff and to pay for travel of staff members and for members of the

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Board of Directors.

Before giving our ideas on the practices and procedures which should be followed in the conduct of the hearings, I wish to make it clear what COPE's position is about land claims, and the building of pipelines. We consider that the land claims of native peoples must be settled before any work is done to prepare the right-of-way, to build the pipeline or to build treatment facilities of any kind for oil or gas. In this position, we agree with the Indian Brotherhood of the Northwest Territories, Inuit Tapirisat of Canada, and the Metis and Non-Status Association of the N.W.T. But when we have used these words before to say what we think about land claims and the pipelines, some people have not understood exactly what we meant. It does not mean that if land claims are settled we will forget about what the pipeline could do to the settlements, to the people and to the animals. It just means that we are ready to talk about them. So to say it in few words: Our participation in the hearings which you will hold is based on the belief that land claims will be settled before any work of any kind starts. If the Government should approve any construction before a settlement is agreed on, I think that the members of COPE will want my organization to join forces with the Federation of Natives North of 60° [redacted] in legal action to stop the building of the pipeline. It is our hope that even before you write your big report you will tell the Government

Board of Directors.

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how we think about this matter.

It is very important to future relationships of white and native societies that the development and transport of energy and mineral resources North of '60 not be turned into a mockery of the original peoples.

We wish to give the following ideas about the hearings which you will conduct on the pipeline.

Timing of Hearings: We believe that it will take at least a year for us to make adequate preparation for the hearings. In addition to the copies of the applications made by Canadian Arctic Gas Pipeline Limited to the Department of Indian Affairs and Northern Development and the National Energy Board, we received 20 books from the company on the environment, what will be done in building a pipeline, and how it will influence the lives of the people. We also received six more large books of plans. During the last year we have also been given many reports on studies which were done by the Government and by the Environment Protection Board. It will take a lot of time to study these reports, find out what parts are important to the communities we represent, get the information to them and help them to understand what it means. After that they will also need time to think about what it means to them and what they want to say about the building of a pipeline. COPE must also do much work to prepare its own paper on the aspects of the pipeline which relate to the whole Mackenzie

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Delta-Beaufort Sea region.

While we are studying the reports I have referred to, we will also receive the report of the Assessment Group, which you mentioned in your letter. It will probably be late in 1974 before we can expect to have a copy of that report to study. Because of all of these considerations, COPE recommends that no hearings be held before the end of next spring's trapping season, that is approximately June, 1975.

Kinds of Hearings: We were pleased about your ideas to find ways to take evidence in the smaller settlements. We also consider that the way of taking evidence in these settlements should be much less formal than at hearings in the larger centres such as Yellowknife, Hay River and Inuvik. However, we think that it is important that hearings be held in all settlements which will be directly or indirectly affected by the main pipeline or by feeder pipelines. We also consider it important that your Honour preside at these hearings.

If a pipeline is constructed it will bring big changes to the way of life of native people. Everything possible should be done to help the people to understand what a pipeline will mean to them and to their children and help them to adapt to the changes which will occur.

The conduct of the hearings, in which individuals can say what they think, listen to what their neighbours and other members of the community say, will be a very important part of the

Delta-Beaufort Sea region.

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process through which the people can get ready for changes which are likely to come. This is also part of the reason why the preparation for the hearings should not be too rushed.

COPE also considers that it is very important that the informal hearings in the smaller communities should be held in advance of formal hearings at the larger administrative centres. We believe that, if this is done, there will be a much greater inclination for the smaller communities to have representatives attend the formal hearings both for the purpose of making submissions and to bring information back to the communities about the formal hearings.

In summary, COPE recommend that the hearings be held in all communities which will be directly or indirectly affected by the building of pipelines. We recommend that the hearings in small settlements be of an informal nature. Finally, we recommend that the informal hearings be held in advance of the formal ones, which would be held in larger communities such as Yellowknife, Hay River or Inuvik.

Money Needed to Prepare for Hearings: COPE has only three full-time staff members. These consist of the President, a Field Worker and a Secretary. In addition, the Canadian Arctic Resources Committee is providing us with a resource worker who works for us, or for Settlement Councils or Trappers Associations, on matters related to resource management and the environment.

With this staff we have difficulty maintaining our programs on

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GOFC also considers that it is very important that the informal hearings in the smaller communities should be held in advance of formal hearings at the larger administrative centres. We believe that, if this is done, there will be a much greater inclination from the smaller communities to have representatives attend the formal hearings both for the purpose of making submissions and to bring information back to the communities about the formal hearings.

In summary, GOFC recommend that the hearings be held in all communities which will be directly or indirectly affected by the building of pipelines. We recommend that the hearings in small settlements be of an informal nature. Finally, we recommend that the formal hearings be held in advance of the formal ones, which would be held in larger communities such as Yellowknife, Fort Simpson or Inuvik.

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With this staff, we have difficulty maintaining our programme in

a day-to-day basis and we have virtually no potential to do the job which we should do before, during and immediately following the hearings which you will conduct in the course of your Inquiry.

Because of the limited time available to prepare for the preliminary hearing, we have not been able to think out exactly what would be required. We think that this could be done by June 1.

We would, however, like to offer suggestions and recommendations of a general nature for your consideration at this time.

COPE recommends that, because of the importance of developments associated with the pipeline to native people and because of the need for extra staff for a relatively short term, your Inquiry should provide the money needed by native organizations:

(i) to study the relevant documents and to prepare submissions for the hearings;

(ii) to assist native people to understand what is involved in the application submitted by Canadian Arctic Gas Pipeline Ltd., in terms of their way of life (socio-economic impact) and in terms of the animals and land (environmental impact) on which their lives have always depended;

(iii) to assist individuals and organizations (such as Band Councils, Trappers Associations and Settlement Councils) to understand the processes, to develop the

capability to prepare submissions and the confidence to present them at either formal or informal hearings.

(iv) to allow selected representatives from the native communities to attend the formal hearings in the larger settlements.

COPE presently sees the need for personnel in two broad categories:

(i) Technical personnel who will study the application and other documents and identify the elements within them which are relevant to the region and to particular communities; who will work with other organizations to avoid unnecessary duplication of effort; who will convey their findings to us and work under our direction in the preparation of submissions; who will convey their findings on matters relevant to particular communities to Community Resource Workers; who will be representing COPE at the settlement level. (The important thing here is that technical personnel being available on a full-time basis, it would not make any difference to COPE whether the individuals involved were directly on our payroll or provided to us by an organization such as Canadian Arctic Resources Committee, which might have greater capability to locate suitable people and to coordinate their efforts.)

(ii) The second category of personnel would be Community Resource Workers. These workers would provide the liason between COPE, its Board of Directors, its technical personnel and the people and communities which we represent. They would do the jobs which were mentioned earlier and others which would become evident as the work progresses; they would be native persons; they would be employed by COPE and their period of employment would necessarily be longer than that of the technical personnel.

(iii) CBC, in its present monopolistic position in the North, has a responsibility to be informative and useful to a much broader extent than it presently is. The native language programs and their resource people must be a fuller part of the corporation and must also be available to disseminate information on a more complete basis. The CBC must be presssured into making a fuller commitment to the people of the North, especially at this time when its responsibility to the people is greater than ever before.

In closing, I wish to express to you the pleasure with which our members viewed your appointment to conduct the Inquiry on

the right-of-way for the Mackenzie Valley Pipeline. It brought us hope that the Inquiry will contribute to the solution of some of the problems which have developed so rapidly during this decade and which seem to be so difficult to resolve.

For your information, I am providing a copy of a paper on COPE which we had Dr. Peter Usher prepare for us. It tells what we have been trying to do to help our people.

Sam Raddi,
President,
COPE.

Inuvik, N.W.T.
April 24, 1974.

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